



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	John B. Terry	Attorney Docket:	0960-017
Serial No:	09/818,378	Examiner:	Not Assigned
Filed:	03/27/2001	Art Unit:	2661

Title: ARCHITECTURE AND METHOD FOR AUTOMATIC DISTRIBUTED GAIN CONTROL FOR MODEM COMMUNICATIONS OVER PASSIVE MULTIPOINT NETWORKS.

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT RECEIVED**

Assistant Commissioner for Patents  
Washington D.C. 20231

MAR 28 2002

Technology Center 2600

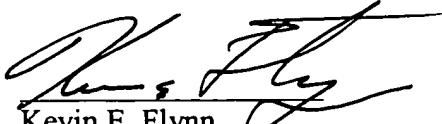
Transmitted herewith is Form PTO/SB/08A providing material that may be relevant to the subject application. It is respectfully requested that these documents be considered by the Examiner and an initialed copy of the form be returned to the undersigned. It is believed that this disclosure complies with the requirements of 37 CFR §§ 1.56, 1.97 and 1.98 and the MPEP § 609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

Submission of these documents is consistent with the broadest interpretation of the duty of disclosure. In accordance with the rule for patent prosecution, such a submission is not to be construed as an admission that the information cited in the Third Supplemental Information Disclosure Statement is, or is considered to be, material to patentability as defined in §1.56. Applicant respectfully reserves the right to challenge a conclusion that any of the submitted material represents information constituting prior art to the present application or that the information that applicant has located would be of the type used by one of ordinary skill in the art in solving the problems addressed in the present application. The submission of these materials is consistent with the duty of disclosure and should not be interpreted as an indication that applicant has made a prior art search such that the Examiner should not undertake to conduct an independent prior art search.

Applicant submits material that is listed in an International Search Report for a PCT application for another related co-pending invention with common assignee. This PCT search report is for the PCT case matching U.S. Patent Application Serial No. 09/933,323 for CAPACITY SCALING AND FUNCTIONAL ELEMENT REDISTRIBUTION WITHIN AN INBUILDING COAX CABLE INTERNET ACCESS SYSTEM, filed August 20, 2001 with Docket No. 0960-020. A copy of the Search Report is provided for the convenience of the Examiner.

Dated: March 18, 2002

Respectfully submitted,



Kevin E. Flynn  
Reg. No: 37,325

Daniels & Daniels, P.A.  
P.O. Drawer 12218  
Research Triangle Park, NC 27709  
Voice 919.544.5444  
Fax 919.544.5920  
email Kflynn@daniels.com

Enclosures

f:\c\0960-017\prosecution\third.ids.doc

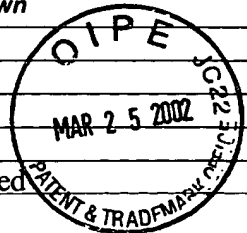
Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

**Complete if Known**

Application	09/818,378
Filing Date	03/27/2001
First Named	Terry, John
Group Art Unit	2773
Examiner Name	Not Assigned
Attorney Docket	0960-017



Sheet

1

of

1

## Attorney Docket

**U.S. PATENT DOCUMENTS**

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered

2661

PTO/SB/21 (6-98)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Patents in This Submission

4 \*

Application Number

09/818,378

# 4

Filing Date

03/27/01

N

First Named Inventor

Terry, John B.

04/06/02

Group / Art Unit

2661

Examiner Name

Not Assigned

Attorney Docket No.

0960-017

\*Excluding cited art

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence  
Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication  
to Group

☐ Appeal Communication to Board  
of Appeals and Interferences

☐ Appeal Communication to  
Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Additional Enclosure(s)  
(please identify below):

Cited Art  
Return Receipt Postcard

Remarks

RECEIVED  
MAR 28 2002  
Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Kevin E. Flynn

Signature

*Kevin E. Flynn*

Date

03/18/2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Lynette M. Bailey

Signature

*Lynette M. Bailey*

Date

03/18/02

